

## **MINUTES**

### **NEVADA STATE BOARD OF OPTOMETRY REGULAR MEETING**

September 22<sup>nd</sup>, 2006  
Las Vegas Chamber of Commerce  
Meeting Room A  
3720 Howard Hughes Parkway  
Las Vegas, Nevada

Dr. Alleman asked for public comment. There was no public comment.

A regular meeting of the Nevada Board of Optometry was called to order by Board President, Kurt G. Alleman, O.D., at 10:00 a.m. on September 22<sup>nd</sup>, 2006, in Meeting Room A, Las Vegas Chamber of Commerce, 3720 Howard Hughes Parkway, Las Vegas, Nevada.

Identifying themselves as present were:

Kurt G. Alleman, O.D., Board President  
Brad C. Stewart, O.D., Board Member  
Jack Sutton, O.D., Board Member  
George Bean, Board Member  
Judi Kennedy, Executive Director  
Dianna Hegeduis, Chief Deputy Attorney General

Also present were:

Mark Ohriner, O.D.  
Linda L. Snyder  
Annamarie Beasley

The minutes of the Board's July 14<sup>th</sup>, 2006, meeting were presented for approval. Dr. Sutton moved the minutes be approved as drafted. Mr. Bean seconded the motion. The vote was unanimous.

Agenda Item 3. Dr. Alleman noted the presence of Dr. Ohriner and Linda Snyder. Dr. Alleman thanked Ms. Snyder for attending the meeting. Dr. Alleman asked Ms. Snyder if she wished to add anything to the complaint she had filed against Dr. Ohriner. Ms. Snyder responded in the negative, adding she felt Dr. Ohriner's conduct had been unprofessional, and that she wanted the

complaint on record.

Dr. Alleman continued, directing his comments to Dr. Ohriner. Dr. Alleman stated from reading the complaint he believed the objectionable statements made by Dr. Ohriner, and complained of by Ms. Snyder, were sexual innuendos and double entendres. Dr. Ohriner stated he did not intend to offend Ms. Snyder, adding Ms. Snyder had not objected to any of his comments or questions during the examination. Dr. Stewart interrupted Dr. Ohriner stating this type of complaint is not common. Dr. Alleman reinforced the statement of Dr. Stewart stating it was the first complaint of its type considered by the Board. Ms. Snyder stated she had not objected to Dr. Ohriner's comments because she felt intimidated, and simply wanted the examination to end. A discussion between Dr. Ohriner and the Board ensued relative to the method of testing he uses during examinations. Dr. Ohriner stated since the filing of the complaint he had become very cautious about comments made during examinations because he doesn't want anything to be misconstrued. Dr. Ohriner, Ms. Snyder, and the members of the Board discussed the timing of the filing of Ms. Snyder's complaint, Ms. Snyder's return visit to Dr. Ohriner's office during which she saw another optometrist, and the need for Dr. Ohriner to be overly cautious relative to statements made during eye examinations.

Dr. Stewart stated he believed because no one else was present during the incident, the Board could not find Dr. Ohriner guilty of unprofessional or inappropriate conduct. Dr. Stewart continued stating he believed the Board should officially caution Dr. Ohriner that the type of behavior alleged in Ms. Snyder's complaint needs to be guarded against and avoided. Dr. Sutton concurred, and moved that a formal letter of caution be sent to Dr. Ohriner. Dr. Stewart seconded the motion. Dr. Alleman asked for further discussion. There was no further discussion. The vote was unanimous. Dr. Alleman thanked Ms. Snyder and Dr. Ohriner for attending the meeting.

Agenda Item 4. Dr. Alleman outlined for the Board, the allegation of Ms. Beasley that she had been misdiagnosed by Dr. Kuntz, and that she believed the misdiagnosis created the necessity for

further visits to the doctor. Dr. Alleman asked Ms. Beasley if she had anything she wished to add to the allegation of her complaint. Ms. Beasley made a lengthy statement to the Board, outlining not only the treatment which was the subject of her complaint, but describing , in detail, her treatment and the results as far back as 1985. Dr. Stewart interjected he did not believe Dr. Kuntz did anything to cause her vision to worsen, noting her medical records indicate she has advanced glaucoma, and that Dr. Kuntz had done nothing to cause her condition to worsen. Dr. Sutton added he had treated end stage glaucoma patients for a number of years, and that he believed the recommendations of Dr. Kuntz to have been appropriate. Dr. Sutton moved the complaint be dismissed. Dr. Stewart seconded the motion. Dr. Alleman asked for further discussion. There was no further discussion. The vote was unanimous.

Agenda Item 5. After review of the complaint the Board determined Benjamin R. Stanton had filed the complaint on behalf of his wife, and in fact, had no standing to file a complaint against Dr. Hahn. Dr. Stewart moved the complaint be dismissed. Dr. Sutton seconded the complaint. The vote was unanimous.

Agenda Item 6. After review of the complaint the Board determined the treatment and advice offered by Dr. Hahn to H. Elizabeth Stanton had been proper. Dr. Sutton moved the complaint be dismissed. Dr. Stewart seconded the motion. The vote was unanimous.

Agenda Item 7. Ms. Hegeduis proposed the Board may want to revise and/or add to regulations. The Board advised Ms. Hegeduis they did not, at this time, wish to make any regulatory changes.

Agenda Item 8. Mr. Bean moved the Board's 2006-07 Budget be approved as prepared. Dr. Sutton seconded the motion. The vote was unanimous.

Having served three terms on the Board, the Board acknowledged Dr. Alleman's decision to not seek reappointment. The Board members and Ms. Kennedy expressed their appreciation for Dr. Alleman's service.

Dr. Alleman asked for public comment. There was no public comment.

The Board scheduled regular meetings for Friday, November 3<sup>rd</sup>, 2006, via telephone conference, and Friday, January 26<sup>th</sup>, 2007, in Reno.

Mr. Bean moved the meeting adjourn. Dr. Sutton seconded the motion. The meeting adjourned at 11:10 a.m.